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In re Application of :
Yuri KOLESNIKOV, et al. :
Application No.: 09/806,645 :
PCT No.: PCT/US99/16049 :
Int. Filing Date: 15 July 1999 :
Priority Date: 16 July 1998 :
Attorney Docket No.: 830010-2006.2 :
For: TOPICAL COMPOSITIONS :
COMPRISING AN OPIOID ANALGESIC :
AND AN NMDA ANTAGONIST :

DECISION ON
PETITION
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 02 April 2001 in the above-captioned application is hereby **GRANTED** as follows:

The appropriate petition fee as required by 37 CFR 1.17(m) has been submitted.

All of the requirements of 37 CFR 1.137(b) for revival have been submitted. Applicants' statement that "the entire delay in filing the National Phase filing of the PCT Application No PCT/US99/01649 from the due date (January 16,2001) until the actual filing of this grantable petition pursuant to 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3) at the time of filing this petition.

A review of the application papers reveals that no oath or declaration of the inventors was filed with the petition.

The request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

The application is being forwarded to the United States Designated/Elected Office for processing in accordance with this decision, that is, for issuance of a Notification of Missing Requirements under 35 U.S.C. 371(c) and 37 CFR 1.495 (Form PCT/DO/ EO/905) to

inform applicants that an oath or declaration of the inventors along with the surcharge fee under 37 CFR 1.492(e) must be filed in order to avoid abandonment of the application as to the national stage in the United States.



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